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Attorneys for Defendants
ABDULLAH LIMITED COMPANY,
BINOTECH LLC, and HIK TECH LLC

IN THE UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA

JOANNA ARDALAN, ESQ, an
individual; ONE LLP, a California Limited
Liability Partnership,

Plaintiffs,

vs.

BINOTECH LLC; KAREN MUMMERT;
MICHAEL MUMMERT; ABDULLAH
LIMITED COMPANY; CODERS CUBE
LLC; HIK TECH LLC; DATA PATCH,
INC.; DOE 1, d.b.a. LAW INTEGRAL,
LLC, business entity unknown; DOE 2,
d.b.a. DEPUTY TRADEMARK, business
entity unknown; DOE 3, p.k.a.
MICHELLE SPRAGUE, an individual;
DOE 4, d.b.a. TRADEMARK INTEGRAL,
business entity unknown; DOE 5, d.b.a.
BRANDREGISTRATION.ORG, business
entity unknown; and DOES 6 through 10,
inclusive,

Defendants.

Case No. 8:23-cv-01243-KK-DFM

**NOTICE OF MOTION AND
MOTION TO SET ASIDE
DEFAULT OF DEFENDANTS
ABDULLAH LIMITED
COMPANY, BINOTECH LLC,
and HIK TECH LLC (FRCP 55(c))**
[Doc. 50]

[Concurrently filed with
Memorandum of Points and
Authorities, Declarations of Abdullah
Khan, Hamza Khan, and David R.
Flyer, and Proposed Answer]

U.S. District Judge:
Kenly Kiya Kato
U.S. Magistrate Judge:
Douglas F. McCormick

Courtroom: 3
3470 12th Street, Riverside,
California 92501

Complaint filed: July 12, 2023
Default taken: October 25, 2024

Hearing Date: January 9, 2025
Time: 9:30 a.m.

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS:

Please take notice that on the above date, time, and in Courtroom 3, or as soon

1 thereafter as counsel may be heard, Defendants ABDULLAH LIMITED COMPANY,
2 BINOTECH LLC, and HIK TECH LLC, will move the Court pursuant to Fed. Rules
3 of Civ. Proc. 55(c) to set aside defaults entered by the Clerk on October 25, 2024.

4 The motion is brought on the grounds of mistake caused at least in part by
5 Plaintiff leading Defendants' principals to believe during a zoom call that settlement
6 discussions were continuing, and complicated by the fact that the principals believed
7 they could represent themselves by submission of an answer without counsel.
8 Defendants have a good and meritorious defense in that they also were victims of the
9 same fraud that reportedly maligned Plaintiff, whereby Defendants' web sites were
10 maliciously hacked and then they were excluded from accessing or controlling the
11 sites to correct the content.

12 A meet and confer took place between counsel as required by Local Rule 7.3,
13 commencing by letter sent on November 7, 2024, continued by telephone conference
14 on November 15, 2024, and concluding with rejection of offer to stipulate to set aside
15 on November 18, 2024.

16 This motion is based on the notice of motion, memorandum of points and
17 authorities, declarations of Abdullah Khan, Hamza Khan, and David R. Flyer, the
18 proposed Answer to the First Amended Complaint at Doc. 29, Certificate of
19 Interested Parties, the proposed order, the file and pleadings, and such oral argument
20 as may take place at the time of the hearing.

21 Respectfully submitted,

22 FLYER & FLYER, A PROFESSIONAL
23 LAW CORPORATION

/s/ David R. Flyer

24 Dated: November 25, 2024

By:

25 David R. Flyer
26 Raquel Flyer Dachner
27 Attorneys for Defendants
28 ABDULLAH LIMITED COMPANY,
BINOTECH LLC, and HIK TECH LLC